



Journal of the House

State of Indiana

115th General Assembly

First Regular Session

Eighth Meeting Day

Tuesday Afternoon

January 23, 2007

The House convened at 1:00 p.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker stated, "Having conferred with the Attorney General and no objection raised, the temporary House policy while the prayer lawsuit is pending in the courts will be a scripted prayer."

The Speaker read a prayer for guidance and insight (printed January 8, 2007).

The Pledge of Allegiance to the Flag was led by Representative Terri Jo Austin.

The Speaker ordered the roll of the House to be called:

Austin	Gutwein
Avery	E. Harris
Bardon	T. Harris
Battles	Herrell
Behning	Hinkle
Bell	Hoy ☐
Bischoff	Kersey
Borders	Klinker
Borror	Knollman
Bosma	Koch
C. Brown	Kuzman
T. Brown	L. Watson
Buck	Lehe
Buell	Leonard
Burton	Lutz
Candelaria Reardon	Mays
Cheatham	McClain
Cheney	Micon
Cherry	Moses
Cochran	Murphy
Crawford	Neese
Crooks	Niezgodski
Crouch	Noe
Davis ☐	Orentlicher
Day	Oxley
Dembowski	Pelath
Denbo	Pflum
Dermody	Pierce
Dickinson	Pond
Dobis	Porter
Dodge	Reske
Duncan	Richardson
Dvorak	Ripley
Eberhart	Robertson
Elrod	Ruppel
Espich	Saunders
Foley	M. Smith
Friend	V. Smith
Frizzell	Soliday
Fry	Stemler
GiaQuinta	Stevenson
Goodin	Stilwell
Grubb	Stutzman

Summers
Thomas
Thompson
Tincher
Torr
Turner
Tyler

Ulmer
VanHaaften
Walorski
Welch
Whetstone
Wolkins
Mr. Speaker

Roll Call 11: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 25, 2007, at 1:00 p.m.

AVERY

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 12, 41, and 165 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 4, 5, and 6 and the same are herewith returned to the House.

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 7

Representatives Kersey, Tincher, Thomas, Borders, and Grubb introduced House Concurrent Resolution 7:

A CONCURRENT RESOLUTION honoring the distinguished guests from the People's Republic of China.

Whereas, The state of Indiana is honored to receive the distinguished guests from the People's Republic of China;

Whereas, The state of Indiana recognizes the importance of friendship and mutual understanding between the peoples of the United States and the People's Republic of China in order to advance international prosperity and peace; and

Whereas, Indiana State University and Liaoning University have served as leaders in fostering mutual understanding and cooperation among government, education, and business leaders in Indiana and Liaoning Province to further mutual understanding, educational exchanges, and economic cooperation between Indiana and Liaoning Province: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly expresses its strong desire that Indiana continue developing the relationship with Liaoning University and that a strong bond be established between Indiana and the People's Republic of China.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Mr. Sun Dagang, Deputy Director General of Liaoning Foreign Affairs Office; Mr. Tianyu Liu, Deputy Division Director of Liaoning Foreign Affairs Office; Ms. Bian Qian, Deputy Division Director, Liaoning Provincial Development and Reform Commission; Mr. Wang Xinquan, Deputy Director General, Liaoning Financial Affairs Office; Ms. Wang Xu, Liaoning Financial Affairs Office; Ms. Pan Shuang, Vice Director of Dandong Haborfront Industrial Park Commission; Mr. Li Xuesi, Supervisor General of Technology, Shenyang Taoxian International Airport; Mr. Jiao Yanhong, Director of Operations, Shenyang Taoxian International Airport; Mr. Yang Bo, Vice President, Shenyang Brilliance-Jinbei Automobile Co. Ltd; Mr. He Guosheng, School of International Economics, Professor of Economics, Party Committee Secretary; and Mr. Cheng Wei, President of Liaoning University and Professor of Economics.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Skinner.

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

HB 1001 — Crawford, Cochran

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1445 — Thompson

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1446 — Thompson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1447 — Thompson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1448 — Thompson

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1449 — Thompson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1450 — Thompson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1451 — Thompson

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1452 — Klinker, Koch

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1453 — Klinker, Duncan, Kuzman, Battles

Committee on Ways and Means

A BILL FOR AN ACT concerning the arts and to make an appropriation.

HB 1454 — Klinker, Thompson, Day

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1455 — Klinker, Buell, Avery

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1456 — Klinker, Kuzman, Buell, Turner

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1457 — Klinker, Walorski, Thompson, Day

Committee on Public Health

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning health.

HB 1458 — Porter

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1459 — Porter

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1460 — T. Brown

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1461 — Bosma

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1462 — Hinkle

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1466 — Soliday, Cheney

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1467 — Stevenson

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1468 — Welch, Dodge

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1469 — Reske

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1470 — Reske

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1471 — L. Lawson, Tincher

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1472 — Bischoff

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1473 — Dvorak

Committee on Technology, Research and Development

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1474 — T. Harris, Saunders

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1475 — Porter

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1476 — E. Harris

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1477 — Mays

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1478 — Kuzman

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1479 — Kuzman

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1480 — Kuzman

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers and to make an appropriation.

HB 1481 — Kuzman

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1482 — Kuzman

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1483 — Kuzman

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1484 — Noe, Pierce

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1485 — Noe

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1486 — Thomas

Committee on Environmental Affairs

A BILL FOR AN ACT concerning state offices and administration.

HB 1487 — Cheney

Committee on Small Business and Economic Development

BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1488 — Cheney

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1489 — Cheney

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1490 — Cheney

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1491 — Cheney

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1492 — Leonard, Borrer, T. Harris

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1493 — Duncan

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1496 — Grubb, Koch

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1497 — Grubb, Davis

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1498 — Bosma, Friend

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly and to make an appropriation.

HB 1499 — Stutzman

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1500 — Stutzman

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1501 — Orentlicher

Committee on Public Health

A BILL FOR AN ACT concerning human services.

HB 1502 — Orentlicher, Welch

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1503 — Orentlicher

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1504 — Davis

Committee on Courts and Criminal Code

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning criminal law and procedure.

HB 1505 — Foley

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

HB 1506 — Foley, Kuzman, Koch

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1507 — Foley

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1508 — Koch, Kuzman, Foley

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

HB 1509 — L. Lawson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1510 — VanHaaften, Whetstone

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1511 — Whetstone

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1513 — Moses, Pond, GiaQuinta

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1514 — Bell

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1515 — Bell

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1516 — Bell

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1517 — Bell

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1518 — Bell

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1519 — Bell

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1521 — Moses, Ripley, Kersey

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1522 — Murphy

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state administration and taxation.

HB 1524 — Murphy

Committee on Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1525 — Murphy

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1526 — Murphy, Robertson

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1527 — Walorski

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1528 — Denbo

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1529 — Denbo

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1530 — Denbo

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1531 — Gutwein

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local taxation.

HB 1532 — Koch, Klinker

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1533 — Thompson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1534 — Thompson

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1535 — Thompson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1536 — Reske

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1537 — Reske

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning human services and to make an appropriation.

HB 1538 — Reske, Noe

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

HB 1539 — T. Brown

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1540 — T. Brown, Klinker

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1541 — Goodin

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1542 — Goodin

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1543 — Goodin

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1544 — Goodin

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education finance and to make an appropriation.

HB 1545 — Goodin

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1546 — Buell

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1547 — Foley, C. Brown

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1548 — Stevenson

Committee on Technology, Research and Development

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1549 — Stevenson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1550 — Stevenson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1551 — Avery

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1552 — Crouch

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1553 — Crouch

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1554 — Reske

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1555 — Bardon, Burton, Ruppel

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

HB 1556 — Burton, Stutzman

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1557 — Burton, Bardon

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

HB 1558 — Ripley

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1559 — Ripley

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1560 — Hoy

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning trade regulation.

HB 1561 — Hoy

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1562 — Crawford

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1563 — Crawford

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1564 — Crawford

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1565 — Crawford

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1566 — Crawford

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1567 — Crawford

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1568 — Crawford

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1569 — Fry

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1570 — Fry

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance and to make an appropriation.

HB 1572 — Fry

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1573 — Fry

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1574 — Fry

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1575 — Fry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1576 — Hinkle

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1577 — Hinkle

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1578 — Battles

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1579 — M. Smith

Committee on Technology, Research and Development

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1580 — Bischoff

Committee on Public Health

A BILL FOR AN ACT concerning Medicaid.

HB 1581 — Bischoff

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1582 — Kersey

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1583 — Kersey

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1584 — Kersey

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1585 — Burton, Welch

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1586 — Hoy, Crouch

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1587 — Espich

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1588 — Espich

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1589 — Espich

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1590 — Espich

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

HB 1591 — Knollman, Gutwein

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1592 — Dvorak

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1593 — Cheney

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1594 — Buell, Crawford, M. Smith

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1595 — Dobis

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1596 — Espich

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1597 — Espich

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1598 — Espich

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1599 — Espich

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1600 — Espich

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1601 — Cherry

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1602 — Cherry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1603 — Cherry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1604 — Cherry

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education finance and to make an appropriation.

HB 1605 — Cherry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1606 — VanHaaften, Cheatham

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1607 — VanHaaften

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals and to make an appropriation.

HB 1608 — VanHaaften

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1609 — Elrod, Walorski

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1610 — Elrod

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1611 — Elrod

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1612 — Elrod

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1614 — Elrod

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1615 — Elrod
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1616 — Orentlicher
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1617 — Orentlicher
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

HB 1618 — Orentlicher
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1619 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1620 — Oxley, Stilwell, Saunders
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1621 — Oxley, Pelath
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

HB 1622 — Oxley, Crawford, Cheatham
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1623 — Oxley, Stilwell
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1624 — Oxley, Koch
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1625 — Tyler
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning gaming and to make an appropriation.

HB 1626 — Tyler
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1627 — Tyler
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1628 — Tyler
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1629 — T. Harris, Lehe
Committee on Ways and Means
A BILL FOR AN ACT concerning state offices and administration and to make an appropriation.

HB 1630 — T. Harris
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1631 — T. Harris
Committee on Interstate and International Cooperation
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1632 — Friend
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1633 — Wolkins, Welch
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1634 — Richardson
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1635 — Borders
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1636 — Pierce, Saunders
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

HB 1637 — Pierce
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1638 — Pierce
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1639 — Dermody, VanHaaften
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1640 — Dermody, Dembowski
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1641 — Dermody, Walorski
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1642 — Goodin
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1643 — Goodin

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1644 — Goodin

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1645 — Lutz, Reske

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1646 — VanHaaften, Gutwein, Grubb, Davis

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1647 — Porter

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1648 — Porter

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1649 — Porter

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1650 — Borders

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1651 — Dembowski

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1652 — Dembowski

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation and to make an appropriation.

HB 1653 — Dembowski

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1654 — Dembowski

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1655 — Dembowski

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1656 — Mays

Committee on Ways and Means

A BILL FOR AN ACT concerning taxation.

HB 1657 — Denbo

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1658 — Austin, Wolkins, Dvorak, Pierce

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1659 — Austin

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1660 — Austin, VanHaaften

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1661 — Austin, Reske

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1662 — Austin, Reske

Committee on Technology, Research and Development

A BILL FOR AN ACT concerning utilities and transportation.

HB 1663 — Buell, Day

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1664 — GiaQuinta

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1665 — GiaQuinta

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1666 — GiaQuinta

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1667 — GiaQuinta

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1668 — Behning

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1669 — Behning

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1670 — Behning

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1671 — Lehe, Klinker, McClain, Gutwein
Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1672 — Cheatham
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1673 — Cheatham
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1674 — C. Brown
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1675 — C. Brown
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1676 — C. Brown
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1677 — C. Brown
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1678 — C. Brown
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1679 — C. Brown
Committee on Public Health

A BILL FOR AN ACT concerning Medicaid.

HB 1680 — C. Brown
Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

HB 1681 — Candelaria Reardon
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1682 — Candelaria Reardon
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1722 — Stilwell, Battles
Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and utilities and transportation.

HB 1800 — Porter, Micon
Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

HJR 11 — Thompson
Committee on Ways and Means

A JOINT RESOLUTION proposing an amendment to Article 8 of the Indiana Constitution concerning the common school fund.

*Be it resolved by the General Assembly
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 8, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. (a) The principal of the Common School fund ~~shall remain a perpetual fund; which may be increased; but shall never be diminished; and may be appropriated only to reduce the unfunded accrued liability of a public pension fund established by the General Assembly to provide retirement, disability, and survivor benefits for Indiana teachers.~~

(b) The income ~~thereof of the Common School fund~~ shall be inviolably appropriated ~~to the support of Common Schools; only for the following purposes,~~ and to no other purpose whatever:

(1) The support of Common Schools.

(2) If authorized by the General Assembly, the reduction of the unfunded accrued liability of a public pension fund established by the General Assembly to provide retirement, disability, and survivor benefits for Indiana teachers.

SECTION 3. ARTICLE 8, SECTION 4 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 4. The General Assembly shall invest, in some safe and profitable manner, all such portions of the Common School fund as have not heretofore been entrusted to the several counties; and shall make provision, by law, for the distribution of the interest of the Common School fund among the several counties ~~of the interest thereof; and, if authorized by the General Assembly, to a public pension fund established by the General Assembly to provide retirement, disability, and survivor benefits for Indiana teachers.~~

HJR 12 — Thompson
Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to Article 6 of the Indiana Constitution concerning local government.

*Be it resolved by the General Assembly
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 6, SECTION 2 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 2. (a) There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, and Coroner, and Surveyor, who shall, severally, hold their offices for four years.

(b) The General Assembly may provide by law for uniform dates for beginning the terms of the county officials listed in subsection (a). If the General Assembly enacts a law to provide a uniform date for beginning the terms of a county official listed in subsection (a), the General Assembly may provide that the term of each county official initially elected after enactment of the law to provide the uniform date for beginning the terms of the county official is for less than four years in order to establish a uniform schedule of dates for the beginning of terms for the office. However, after the initial election for each office, the term for that office shall be for four years.

(c) No person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.

HJR 13 — Porter

Committee on Education

A JOINT RESOLUTION proposing an amendment to Article 8 of the Indiana Constitution concerning education finance.

*Be it resolved by the General Assembly
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 8, SECTION 2 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 2. The ~~Common School~~ **Early Learning Trust Fund** shall consist of the following:

- (1) The Congressional Township fund, and the lands belonging thereto.
- (2) The Surplus Revenue fund.
- (3) The Saline fund and the lands belonging thereto.
- (4) The Bank Tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana.
- (5) The fund to be derived from the sale of County Seminaries, and the moneys and property heretofore held for such Seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue.
- (6) All lands and other estate which shall escheat to the State, for want of heirs or kindred entitled to the inheritance.
- (7) All lands that have been, or may hereafter be, granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof; including the proceeds of the sales of the Swamp Lands, granted to the State of Indiana by the act of Congress of the twenty eighth of September, eighteen hundred and fifty, after deducting the expense of selecting and draining the same.
- (8) Taxes on the property of corporations, that may be assessed by the General Assembly for ~~common school~~ **Early Learning Trust Fund** purposes.
- (9) All funds that were held in or repayable to the **Common School Fund** before the establishment of the **Early Learning Trust Fund**.
- (10) Such other funds as may be appropriated to the **Fund** by the General Assembly or received as gifts.

SECTION 3. ARTICLE 8, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. The principal of the ~~Common School~~ **Early Learning Trust Fund** shall remain a perpetual fund; which may be increased; but shall never be diminished; and the income thereof shall be inviolably

appropriated to the support of ~~Common Schools~~, **educational programs for children in kindergarten and pre-kindergarten** and to no other purpose whatever.

SECTION 4. ARTICLE 8, SECTION 4 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 4. The General Assembly shall invest ~~the Early Learning Trust Fund~~ in some safe and profitable manner ~~at such portions of the Common School fund, as have not heretofore been entrusted to the several counties; and shall make provision, by law, for the distribution among the several counties, of the principal of and interest thereof; income on the Fund for educational programs for children in kindergarten or pre-kindergarten.~~

SECTION 5. THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY STRIKING OUT ARTICLE 8, SECTION 5.

SECTION 6. THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY STRIKING OUT ARTICLE 8, SECTION 6.

SECTION 7. THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY STRIKING OUT ARTICLE 8, SECTION 7.

HJR 14 — Burton, Stutzman

Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to Articles 8, 10, and 13 of the Indiana Constitution concerning taxation.

*Be it resolved by the General Assembly
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 8, SECTION 2 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 2. The Common School fund shall consist of the Congressional Township fund, and the lands belonging thereto;

The Surplus Revenue fund;

The Saline fund and the lands belonging thereto;

The Bank Tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana;

The fund to be derived from the sale of County Seminaries, and the moneys and property heretofore held for such Seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue;

All lands and other estate which shall escheat to the State, for want of heirs or kindred entitled to the inheritance;

All lands that have been, or may hereafter be, granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof; including the proceeds of the sales of the Swamp Lands, granted to the State of Indiana by the act of Congress of the twenty eighth of September, eighteen hundred and fifty, after deducting the expense of selecting and draining the same.

Taxes on the property of corporations, that may be assessed by the General Assembly for common school purposes.

SECTION 3. ARTICLE 10 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: Section 1.5. **Neither the General Assembly nor a political or municipal corporation in the State may provide by law for the imposition of ad valorem property taxes.**

SECTION 4. THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY STRIKING OUT ARTICLE 10, SECTION 1.

SECTION 5. THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY STRIKING OUT ARTICLE 13, SECTION 1.

SECTION 6. THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING THE FOLLOWING SCHEDULE:

SCHEDULE

(a) As used in this SECTION, "effective year" means the calendar year that immediately follows the calendar year in which amendments to the Constitution of the State of Indiana contained in this resolution are approved in a general election under Article 16, Section 1 of the Constitution of the State of Indiana.

(b) To avoid constitutionally prohibited impairment of the obligation of contracts, the General Assembly shall provide by law for revenue from any source to pay after the effective year obligations of a political or municipal corporation in the State to which the corporation pledged ad valorem property tax revenue.

(c) Subject to subsection (d), the amendments to the Constitution of the State of Indiana contained in this resolution apply only to ad valorem property taxes imposed for an assessment date (as defined in IC 6-1.1-1-2) after January 15 of the effective year.

(d) Subject to subsection (e), the amendments referred to in subsection (c) do not prohibit the collection of ad valorem property taxes:

(1) imposed for an assessment date (as defined in IC 6-1.1-1.2) in or before the effective year; and

(2) first due and payable in or before the effective year.

(e) Collections of ad valorem property taxes referred to in subsection (d) may occur after the effective year.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1027, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 22-2-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. As used in this chapter:

"Commissioner" means the commissioner of labor or the commissioner's authorized representative.

"Department" means the department of labor.

"Occupation" means an industry, trade, business, or class of work in which employees are gainfully employed.

"Employer" means any individual, partnership, association, limited liability company, corporation, business trust, the state, or other governmental agency or political subdivision during any work week in which they have two (2) or more employees. However, it shall not include any employer who is subject to the minimum wage provisions of the federal Fair Labor Standards Act of 1938; as amended (29 U.S.C. 201-209).

"Employee" means any person employed or permitted to work or perform any service for remuneration or under any contract of hire, written or oral, express or implied by an employer in any occupation, but shall not include any of the following:

(a) Persons less than sixteen (16) years of age.

(b) Persons engaged in an independently established trade, occupation, profession, or business who, in performing the services in question, are free from control or direction both under a contract of service and in fact.

(c) Persons performing services not in the course of the employment unit's trade or business.

(d) Persons employed on a commission basis.

(e) Persons employed by their own parent, spouse, or child.

(f) Members of any religious order performing any service for that order, any ordained, commissioned, or licensed minister, priest, rabbi, sexton, or Christian Science reader, and volunteers performing services for any religious or charitable organization.

(g) Persons performing services as student nurses in the employ of a hospital or nurses training school while enrolled and regularly attending classes in a nurses training school chartered or approved under law, or students performing services in the employ of persons licensed as both funeral directors and embalmers as a part of their requirements for apprenticeship to secure an embalmer's license or a funeral director's license from the state, or during their attendance at any schools required by law for securing an embalmer's or funeral director's license.

(h) Persons who have completed a four (4) year course in a medical school approved by law when employed as interns or resident physicians by any accredited hospital.

(i) Students performing services for any school, college, or university in which they are enrolled and are regularly attending classes.

(j) Persons with physical or mental disabilities performing services for nonprofit organizations organized primarily for the purpose of providing employment for persons with disabilities or for assisting in their therapy and rehabilitation.

(k) Persons employed as insurance producers, insurance solicitors, and outside salesmen, if all their services are performed for remuneration solely by commission.

(l) Persons performing services for any camping, recreational, or guidance facilities operated by a charitable, religious, or educational nonprofit organization.

(m) Persons engaged in agricultural labor. The term shall include only services performed:

(1) on a farm, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife;

(2) in the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of the farm and its tools and equipment if the major part of the service is performed on a farm;

(3) in connection with:

(A) the production or harvesting of maple sugar or maple syrup or any commodity defined as an agricultural commodity in the Agricultural Marketing Act, as amended (12 U.S.C. 1141j);

(B) the raising or harvesting of mushrooms;

(C) the hatching of poultry; or

(D) the operation or maintenance of ditches, canals, reservoirs, or waterways used exclusively for supplying and storing water for farming purposes; and

(4) in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage, to market, or to a carrier for transportation to market, any agricultural or horticultural commodity, but only if service is performed as an incident to ordinary farming operation or, in the case of fruits and vegetables, as an incident to the preparation of fruits and vegetables for market. However, this exception shall not apply to services performed in connection with any agricultural or horticultural commodity after its delivery to a terminal market or processor for preparation or

distribution for consumption.

As used in this subdivision, "farm" includes stock, dairy, poultry, fruit, furbearing animals, and truck farms, nurseries, orchards, or greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities.

(n) Those persons employed in executive, administrative, or professional occupations who have the authority to employ or discharge and who earn one hundred fifty dollars (\$150) or more a week, and outside salesmen.

(o) Any person not employed for more than four (4) weeks in any four (4) consecutive three (3) month periods.

(p) Any employee with respect to whom the Interstate Commerce Commission has power to establish qualifications and maximum hours of service under the federal Motor Carrier Act of 1935 (49 U.S.C. 304(3)) or any employee of a carrier subject to IC 8-2.1."

Renumber all SECTIONS consecutively.

(Reference is to HB 1027 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 5.

CHENEY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1132, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 10, after "means" insert ":

(1) an individual, a partnership, an association, a limited liability company, a corporation, or a business trust or an officer of any of these entities employing at least fifty (50) but less than one hundred (100) individuals in Indiana;

(2) the state or an agency, an officer, or a commission of the state employing at least fifty (50) individuals; or
(3) a political subdivision (as defined in IC 36-1-2-13) or an agency, an officer, or a commission of a political subdivision employing at least fifty (50) individuals."

Page 1, line 10, delete "an".

Page 1, delete lines 11 through 14.

Page 2, line 28, after "least" insert "**twenty (20) employees.**".

Page 2, delete line 29.

Page 3, line 1, after "employees" insert ":

Page 3, line 1, delete "within the meaning of:".

Page 3, line 2, after "(1)" insert "**within the meaning of**".

Page 3, line 3, delete "or".

Page 3, line 4, after "(2)" insert "**within the meaning of**".

Page 3, line 5, delete "seq.)." and insert "**seq.); or**

(3) of any labor organization formally or effectively recognized by a state or local government or agency as a representative of any unit of employees for purposes of bargaining or grievance representation."

(Reference is to HB 1132 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 4.

CHENEY, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1058

Representative Bischoff called down House Bill 1058 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1117

Representative Denbo called down House Bill 1117 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1335

Representative Stilwell called down House Bill 1335 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:30 p.m. with the Speaker in the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 12 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL

Principal Secretary of the Senate

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1042, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "at least eighteen (18) years of age but".

Page 1, line 8, after "is" insert "**or will be**".

Page 2, after line 16, begin a new paragraph and insert:

"(e) This section is effective July 1, 2008."

(Reference is to HB 1042 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 2.

TINCHER, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1059

Representative Kersey called down House Bill 1059 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1059-3)

Mr. Speaker: I move that House Bill 1059 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-30-5-6, AS ADDED BY P.L.246-2005, SECTION 170, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) This section applies only to public schools.

(b) As used in this section, "good citizenship instruction" means integrating instruction into the current curriculum that stresses the nature and importance of the following:

(1) Being honest and truthful.

(2) Respecting authority.

(3) Respecting the property of others.

(4) Always doing the student's personal best.

(5) Not stealing.

(6) Possessing the skills (including methods of conflict

resolution) necessary to live peaceably in society and not resorting to violence to settle disputes.

(7) Taking personal responsibility for obligations to family and community.

(8) Taking personal responsibility for earning a livelihood.

(9) Treating others the way the student would want to be treated.

(10) Respecting the national flag, the Constitution of the United States, and the Constitution of the State of Indiana.

(11) Respecting the student's parents and home.

(12) Respecting the student's self.

(13) Respecting the rights of others to have their own views and religious beliefs.

(14) Respecting the dignity and value of others when they make decisions that the student believes are not the best.

(c) The department shall:

(1) identify; and

(2) make available;

models of conflict resolution instruction to school corporations. The instruction may consist of a teacher education program that applies the techniques to the students in the classroom to assist school corporations in complying with this section.”.

Renummer all SECTIONS consecutively.

(Reference is to HB 1059 as printed January 18, 2007.)

THOMPSON

Motion prevailed. The bill was ordered engrossed.

House Bill 1084

Representative Kuzman called down House Bill 1084 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1084-1)

Mr. Speaker: I move that House Bill 1084 be amended to read as follows:

Page 145, line 40, after "U.S.C" insert ".

Page 206, line 1, strike "of this section".

Page 235, line 11, delete ":" and insert "[EFFECTIVE UPON PASSAGE]:".

(Reference is to HB 1084 as printed January 18, 2007.)

KUZMAN

Motion prevailed. The bill was ordered engrossed.

House Bill 1129

Representative Stilwell called down House Bill 1129 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1129-1)

Mr. Speaker: I move that House Bill 1129 be amended to read as follows:

Page 4, line 33 after "Interviews" insert "**and negotiations**".

(Reference is to HB 1129 as printed January 18, 2007.)

STILWELL

Motion prevailed.

HOUSE MOTION
(Amendment 1129-2)

Mr. Speaker: I move that House Bill 1129 be amended to read as follows:

Page 2, line 30, after "of any" insert ":

(A)".

Page 2, line 30, after "project" insert ";

Page 2, line 30, strike "or".

Page 2, line 30, before "program" begin a new line double block indented and insert:

"(B)".

Page 2, line 30, after "program;" insert "**or**

(C) facilities of applicants for incentives or assistance from the governing body;".

Page 4, line 2, after "(7)" insert "**consecutive**".

(Reference is to HB 1129 as printed January 18, 2007.)

STILWELL

Motion prevailed.

HOUSE MOTION
(Amendment 1129-3)

Mr. Speaker: I move that House Bill 1129 be amended to read as follows:

Page 3, line 33, delete "meets:" and insert "**meets all of the following requirements:**".

Page 3, line 34, after "(1)" insert "**Except as provided in subsection (b), the series of gatherings meets**".

Page 3, line 34, delete ";" and insert ".

Page 3, delete line 35.

Page 3, line 36, after "(2)" insert "**The series of gatherings meets**".

Page 4, line 3, delete "The" and insert "**Except as provided in subsection (b), the**".

Page 4, between lines 8 and 9, begin a new paragraph and insert:

"(b) A series of gatherings in which each gathering is attended by:

(1) the presiding officer of the governing body; and

(2) not more than one (1) other member of the governing body;

does not violate this section, if the purpose of the gatherings is only to receive information and not for the purpose of taking any other official action on public business."

Page 4, line 9, delete "(b)" and insert "**(c)**".

(Reference is to HB 1129 as printed January 18, 2007.)

STILWELL

Motion prevailed. The bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

House Resolution 3

Representative Fry introduced House Resolution 3:

A HOUSE RESOLUTION honoring the Mishawaka Kiwanis Club on the occasion of its 70th anniversary.

Whereas, "Kiwanis is a global organization of volunteers dedicated to changing the world one child and one community at a time";

Whereas, The Mishawaka Kiwanis Club is a shining example of dedication to this defining statement;

Whereas, For 70 years, the Mishawaka Kiwanis Club has been working to improve the lives of the young and needy in Mishawaka and the surrounding area by contributing countless hours of dedicated service;

Whereas, The first Kiwanis Club meeting in December 2006 was a celebration of those 70 years of dedicated service;

Whereas, The Mishawaka Kiwanis Club supports the Boy Scouts, Res, Mishawaka Education Foundation, Covenant Christian School, YMCA, Youth Service Bureau, Women's Care Center, St. Margaret's House, Reins of Life, Hannah's House, Alcohol & Addictions Resource Center, Big Brothers/Big Sisters, and Boys & Girls Club, and sponsors high school leaders, and athletes, awards for Mishawaka, Penn, and Marian; and

Whereas, Through the efforts of clubs like the Mishawaka Kiwanis Club, Indiana will be better able to face the future armed with strong, well-informed leaders: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Mishawaka Kiwanis Club on the anniversary of its founding and expresses gratitude for 70 years of dedicated service to the youth and those in need.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Mishawaka Kiwanis Club president Patti McNarney.

The resolution was read a first time and adopted by voice vote.

Senate Concurrent Resolution 12

The Speaker handed down Senate Concurrent Resolution 12, sponsored by Representatives Bauer, Niezgodski, and Dvorak:

A CONCURRENT RESOLUTION to recognize E. Jack Reed, Assistant to the Mayor of the City of South Bend, upon his retirement after years of honored public service.

Whereas, effective December 29, 2006, E. Jack Reed retired after over forty-six years of commendable public service;

Whereas, since 1988, Mr. Reed served with honesty, integrity, and kindness as Assistant to the Mayor for the City of South Bend;

Whereas, in his eighteen years as Assistant to the Mayor of the City of South Bend, Mr. Reed assisted thousands of residents and visitors alike with helpful information, a kind word, and a friendly smile;

Whereas, Mr. Reed served twenty-eight heroic years on the South Bend Fire Department becoming the first African American Riding Chief in South Bend history and helping shepherd the Department through many tumultuous years;

Whereas, Mr. Reed worked as Ombudsman, the ADA coordinator for the City of South Bend, and as a member of numerous boards and committees where he championed the causes of the disabled and elderly of his community;

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana Senate hereby recognizes E. Jack Reed upon his retirement.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit copies of this resolution to E. Jack Reed and his family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1027 and 1221 had been referred to the Committee on Ways and Means.

Reassignments

The Speaker announced the following reassignments:

House Bill 1253 from the Committee on Veterans Affairs and Public Safety to the Committee on Rules and Legislative Procedures.

House Bill 1351 from the Committee on Ways and Means to the Committee on Financial Institutions.

House Bill 1410 from the Committee on Education to the Committee on Court and Criminal Code.

House Bill 1551 from the Committee on Public Policy to the Committee on Elections and Apportionment.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 3, 17, 43, 48, 49, 101, 132, 142, 143, 157, and 180 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 30, 40, and 46 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 7 and the same is herewith returned to the House.

MARY C. MENDEL
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that House Bill 1187, assigned to the House Committee on Family, Children and Human Affairs, be withdrawn from further consideration by the House of Representatives.

RESKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative V. Smith be added as coauthor of House Bill 1018.

DUNCAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as coauthor of House Bill 1026.

DUNCAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as coauthor of House Bill 1036.

KERSEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kuzman be added as coauthor of House Bill 1038.

TYLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Bill 1058.

BISCHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Robertson and Porter be added as coauthors of House Bill 1059.

KERSEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Reske be added as coauthor of House Bill 1092.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dermody be added as coauthor of House Bill 1116.

DUNCAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives T. Harris and Micon be added as coauthors of House Bill 1119.

CHENEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representative Pelath be added as coauthor of House Bill 1129.

STILWELL

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative C. Brown be added as coauthor of House Bill 1151.

NOE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ripley be added as coauthor of House Bill 1158.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ripley be added as coauthor of House Bill 1160.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buck be added as coauthor of House Bill 1166.

COCHRAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be added as coauthor of House Bill 1183.

RESKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative L. Lawson be removed as coauthor of House Bill 1237.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fry be added as coauthor of House Bill 1248.

RIPLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fry be added as coauthor of House Bill 1249.

RIPLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ripley be removed as author of House Bill 1250, Representative Fry be substituted as author, and Representative Ripley be added as coauthor.

RIPLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be added as coauthor of House Bill 1255.

V. SMITH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Avery be added as coauthor of House Bill 1260.

CROOKS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Summers be added as coauthor of House Bill 1266.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1269.

FRIEND

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bosma be removed as coauthor of House Bill 1271.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Robertson be added as coauthor of House Bill 1311.

MICON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lutz be added as coauthor of House Bill 1324.

CROOKS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bell be added as coauthor of House Bill 1335.

STILWELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Noe be added as coauthor of House Bill 1338.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Austin and Ruppel be added as coauthors of House Bill 1357.

TINCHER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Austin and Ruppel be added as coauthors of House Bill 1358.

TINCHER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Whetstone and Kuzman be added as coauthors of House Bill 1373.

STEVENSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Candelaria Reardon be added as coauthor of House Bill 1374.

STEVENSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hinkle be added as coauthor of House Bill 1388.

DENBO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fry be added as coauthor of House Bill 1416.

RIPLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fry be added as coauthor of House Bill 1417.

RIPLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fry be added as coauthor of House Bill 1421.

RIPLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as coauthor of House Bill 1461.

BOSMA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dodge be removed as coauthor of House Bill 1468.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Borrer be added as coauthor of House Bill 1470.

RESKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Crawford be added as coauthor of House Bill 1484.

NOE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kuzman be added as coauthor of House Bill 1493.

DUNCAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buell be removed as author of House Bill 1546, Representative GiaQuinta be substituted as author, and Representative Buell be added as coauthor.

BUELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ripley be added as coauthor of House Bill 1570.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ripley be added as coauthor of House Bill 1572.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ripley be added as coauthor of House Bill 1573.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1633.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Whetstone be added as coauthor of House Bill 1722.

STILWELL

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Pierce, the House adjourned at 2:50 p.m., this twenty-third day of January, 2007, until Thursday, January 25, 2007, at 1:00 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives